

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

SONYA BAILEY,
and others similarly situated,

Plaintiff,

v.

Case No. 1:07-cv-01089-JDT-sta

YOUTH VILLAGES, INC.,

Defendant.

**DEFENDANT YOUTH VILLAGES' MOTION FOR JUDGMENT ON THE PLEADINGS
OR, IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT**

Defendant, Youth Villages, Inc., files this Motion for Judgment on the Pleadings or in the Alternative, for Summary Judgment pursuant to Fed. R. Civ. P. 12(c) and Fed. R. Civ. P. 56. As grounds for this motion, Defendant states that the Court lacks jurisdiction of this matter because Defendant is not a covered enterprise under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, 29 U.S. C. § 216(b), and 28 U.S.C. § 1337. The grounds for this motion are further detailed in the Memorandum and supporting affidavits filed herewith.

Respectfully submitted,

/s/ Kelly S. Gooch

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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2007, I electronically filed the foregoing **Motion for Judgment on the Pleadings or, in the Alternative, for Summary Judgment** with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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/s Kelly S. Gooch